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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,318	01/25/2001	Satoshi Watanabe	04329.2498	4456

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EXAMINER

BONSHOCK, DENNIS G

ART UNIT	PAPER NUMBER
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2173

6

DATE MAILED: 08/14/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

# Office Action Summary

Application No.

09/768,318

Applicant(s)

WATANABE, SATOSHI

Examiner

Dennis G Bonshock

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuka, Patent # 6,094,723 and Camara et al., Patent # 6,373,507, hereinafter Camara. With regard to claims 1 and 11, Otsuka teaches a contents management apparatus and method for managing the number of times contents are transferred between recording and reproduction devices (see column 1, line 47), means for subtracting a number on checkout (see column 1, line 50), and a means for adding a number on check-in (see column 1, line 60). Otsuka however doesn't teach a management screen display, containing a library management screen and a device management screen. Camara teaches a media management system similar to that of Otsuka, but also teaches a management screen display, containing a library management screen and a device management screen (see figures 4, 5, 6, and column 6, lines 1-7). It would have been obvious to one of ordinary skill in the art, having the teachings of Otsuka and Camara before him at the time the invention was made to modify the copy protection system of Otsuka to provide the management display screen of Camara. One would have been motivated to make such a combination because through the use of a display screen it

would be possible for a user to see how many more times they can copy a recorded media.

3. With respect to claims 2 and 7, which teach the inclusion of a checkout list, see Otsuka column 2, line 33.

4. With respect to claims 3 and 8, Otsuka and Camara teach the contents management means adding a contents transferred device to the checkout list on checkout and subtracting a contents transferred device from the checkout list on check-in, see Otsuka column 22, line 31.

5. With respect to claims 4 and 9, which teach the checkout list including a flag indicating whether a checkout is allowed, see Otsuka column 6, line 1.

6. With regard to claim 5, Otsuka teaches a contents management apparatus and method for managing the number of times contents are transferred between recording and reproduction devices (see column 1, line 47). Otsuka however doesn't teach a management screen display, a library management screen, or a contents screen. Camara teaches a media management system similar to that of Otsuka, but also teaches a management screen display displaying a library management screen (see figures 4, 5, 6, and column 6, lines 1-7), a contents screen with means for selecting a tag corresponding to each of the devices on the library management screen (see figures 6, 7, and column 6, line 16), and a means for moving the selected device tag to the forefront (see figures 6, 7, and column 6, line 16). It would have been obvious to one of ordinary skill in the art, having the teachings of Otsuka and Camara before him at the time the invention was made to, to modify the copy protection system of Otsuka to

provide the management screen display, the library management screen, and the contents screen of Camara. One would have been motivated to make such a combination because without these display screens, managing the systems properties would be strictly hardware based trial and error.

7. With regard to claim 6, which teaches means for subtracting a number on check-out (see column 1, line 50 of Otsuka), and a means for adding a number on check-in (see column 1, line 60 of Otsuka). Claim 6 is rejected by Otsuka and Camara, from claim 5, and by the further teachings of Camara as referenced above.

8. With regard to claim 10, Otsuka teaches a contents management apparatus and method for managing the number of times contents are transferred between recording and reproduction devices (see column 1, line 47). Otsuka however doesn't teach a management screen display, or a library management screen that serves to display the number of times contents are transferred. Camara teaches a media management system similar to that of Otsuka, but also teaches a management screen display displaying a library management screen (see figures 4, 5, 6, and column 6, lines 1-7), and said library management screen displaying the number of times contents are transferred (see column 8, line 26). It would have been obvious to one of ordinary skill in the art, having the teachings of Otsuka and Camara before him at the time the invention was made to, to modify the copy protection system of Otsuka to provide the management screen display, and the library management screen displaying the number of times contents are transferred of Camara. One would have been motivated to make such a combination because without these display screens managing the systems

properties the user would be unable to tell whether certain contents would be able to be written without actually attempting the process.

**Conclusion**

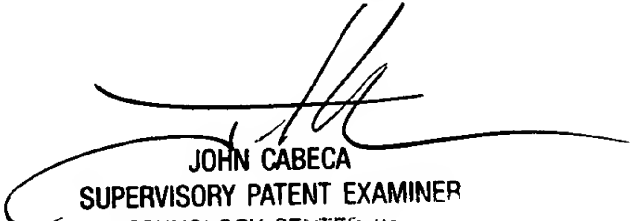
9. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach copy protection systems for recording media.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dennis G Bonshock whose telephone number is (703) 305-4668. The examiner can normally be reached on Monday - Friday, 8:30 a.m. - 5:00 p.m..

11. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

12. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

dgb  
August 11, 2003

  
JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 21